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16
17 **UNITED STATES DISTRICT COURT**
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19 **NORTHERN DISTRICT OF CALIFORNIA**
20
21 **SAN FRANCISCO DIVISION**

22 IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

23 This Document Relates to:

**DECLARATION OF KYLE SMITH
IN SUPPORT OF DEFENDANTS' PORTION
OF THE JOINT LETTER REGARDING
PLAINTIFFS' FACT SHEET OBLIGATIONS**

24 All Actions

Judge: Hon. Lisa J. Cisneros
Courtroom: G – 15th Floor

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DECLARATION OF KYLE SMITH

I, Kyle Smith, declare pursuant to 28 U.S.C. § 1746:

1. I am over the age of 18 and am a resident of Arlington, Virginia. I respectfully submit this declaration in support of Defendants Uber Technologies, Inc.’s, Rasier, LLC’s, and Rasier-CA, LLC’s (collectively, “Uber’s”) portion of the joint letter brief regarding Plaintiffs’ obligations when submitting fact sheets pursuant to Pretrial Order No. 10.

2. I am a partner at the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, representing Uber in this MDL as well as in Judicial Council Coordination Proceeding No. 5188, *In Re: Uber Rideshare Cases*, Case No. CJC-21-005188 (the “JCCP”). I am a member in good standing of the Bar of the District of Columbia Court of Appeals and the Bar of the State of New York Court of Appeals, Third Department. I make this declaration based upon matters within my own personal knowledge. If called as a witness, I could and would competently testify to the matters set forth herein.

3. Attached to this declaration as **Exhibit A** is a true and correct copy of a September 16, 2024 letter from Plaintiffs' Leadership regarding "remaining global PFS issues."

4. Attached to this declaration as **Exhibit B** is a true and correct copy of an August 22, 2024 letter from Plaintiffs' Leadership identifying five "global PFS issues."

5. Attached to this declaration as **Exhibit C** is a true and correct copy of the template Plaintiff Fact Sheet (“PFS”) used in the JCCP.

6. Pretrial Order No. 10, ECF 348, concerns Plaintiffs' PFS obligations. The parties have engaged in a series of meet and confers regarding Plaintiffs' obligations when submitting fact sheets. Following these meet and confers, the parties were unable to resolve the three disputed issues set out in the joint letter.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 28, 2024, in Arlington, Virginia.

/s/ Kyle Smith

Kyle Smith